

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

Electronically filed 07/29/03

IN RE: DOUGLAS WAYNE WRIGHT and
DEBORAH L. WRIGHT, Debtors

CASE NO: 6:03-bk-74601
CHAPTER 13

DOUGLAS WAYNE WRIGHT and
DEBORAH L. WRIGHT

PLAINTIFFS

VS.

A.P. NO.: _____

COMPASS BANK

DEFENDANT

COMPLAINT FOR TURNOVER

COME now the Plaintiffs/Debtors, Douglas Wayne Wright and Deborah L. Wright, by their Attorney, Marc Honey, and for their Complaint for Turnover, state as follows:

1. That this Court has jurisdiction pursuant to 11 U.S.C. §543 and Bankruptcy Rule 7001(1).
2. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(E).
3. Plaintiffs are the Debtors in a Chapter 13 bankruptcy case, number 6:03-bk-74601, filed on July 10, 2003, at 8:58 a.m.
4. Plaintiffs are the owners of a 2000 Ford Ranger wherein the Defendant, Compass Bank, holds a security interest in the subject vehicle.
5. On July 9, 2003, Defendant, Compass Bank, repossessed the subject vehicle from the residence of the Plaintiffs.
6. That on July 10, 2003, at approximately 9:25 a.m., counsel for Plaintiffs provided a Notice of Bankruptcy Case Filing to the Defendant by facsimile transmission.

7. That on July 10, 2003, at the request of the Defendant's representative, Jeff Haines, Compass Bank was provided with proof of insurance for the subject vehicle.
8. The subject vehicle is property of the Plaintiffs/Debtors' bankruptcy estate.
9. Separate Plaintiff, Douglas Wayne Wright, is a self-employed logger, operating a business known as Wright Logging.
10. The subject vehicle is required for the operation of Plaintiff's business. Therefore, said vehicle is necessary to Plaintiff/Debtor's reorganization under their Chapter 13 case.
11. Since the filing of this Chapter 13 case, counsel for Plaintiffs has made repeated requests to agents for the Defendant, Compass Bank, including but not limited to, Jeff Haines, Cindy Bush, Katrina Swayze, and Nancy McGowan, requesting arrangements to be made for Plaintiffs to pick up the subject vehicle, however, the Defendant, Compass Bank, by its agents, has refused.
12. Plaintiffs are entitled to the return of the subject vehicle pursuant to 11 U.S.C. §543.

WHEREFORE, Plaintiffs/Debtors, Douglas Wayne Wright and Deborah L. Wright, pray that the Defendant, Compass Bank, be ordered to immediately return the 2000 Ford Ranger to Plaintiffs; that Defendant and its agents be sanctioned for willful refusal to return property of the estate, including assessment of Court costs and attorney's fees; and for all other relief to which the Plaintiffs/Debtors may be entitled.

/s/Marc Honey

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